

# **JOURNAL OF THE HOUSE**

## **NINETY-FIRST SESSION**

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FOURTH DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Friday, January 15, 2016

The House convened at 12:30 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Sunshine Minzlaff, followed by the Pledge of Allegiance led by House page Brett Story.

Roll Call: All members present except Reps. Bordeaux, Dryden, Johns, Kaiser, Killer, Otten, Partridge, Schrempp, and Tulson who were excused.

### **APPROVAL OF THE JOURNAL**

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the third day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,  
Dean Wink, Chair

Which motion prevailed.



1 Amend Chapter 7 of the Joint Rules as follows:

2 **7-1.4. Posting of agendas.** Agendas of the bills, resolutions, and other proposals to be  
3 considered at any meeting of a standing committee or subcommittee shall be posted on the  
4 bulletin board of the respective house. At least one legislative day shall intervene between the  
5 date of posting and the date of consideration. An agenda must be posted by 5 p.m. in order to  
6 allow for an intervening legislative day. However, if a day of legislative recess intervenes  
7 between the date of posting and the date of consideration, the requirement of posting is fulfilled  
8 ~~only if posting is made prior to adjournment of the session of the particular house by 5 p.m. on~~  
9 the day before the legislative recess.

10 **7-11. Introduction of general appropriation bill.** The general appropriation bill shall be  
11 introduced by the Senate Committee on Appropriations in even-numbered years and by the  
12 House Committee on Appropriations in odd-numbered years. ~~The general appropriation bill~~  
13 ~~shall be introduced no later than the sixteenth legislative day.~~

14 **7-11.1. Selection of revenue targets.** The Joint Committee on Appropriations shall select  
15 general fund revenue targets for the current and next fiscal years before the twentieth legislative  
16 day for the purpose of setting appropriations. The Committee may subsequently adjust the  
17 general fund revenue targets.

18 ~~**7-12. Structure of Joint session or action for house and senate committees on**~~  
19 ~~**appropriations committee.**~~ The Senate and House Committees on Appropriations may meet  
20 in joint session or form combined subcommittees to hear agency or other budget presentations.  
21 All Joint ~~Appropriations~~ Committee on Appropriations action ~~on the general appropriations bill~~  
22 shall be approved by a majority vote of the Joint Committee unless a member calls for a separate  
23 vote of the House ~~Appropriations~~ Committee on Appropriations and the Senate ~~Appropriations~~  
24 Committee on Appropriations in which case a majority vote of each committee is required ~~for~~  
25 ~~adoption to adopt the action. Such action shall constitute~~ The majority vote of the committees  
26 in joint session to adopt the action or the majority vote of each appropriations committee to  
27 adopt the action constitutes the committee report of the house of origin on the general  
28 appropriation bill or an appropriation made by a separate bill.

29 Each agenda for the Joint Committee on Appropriations shall be approved by the Chair of the  
30 Senate Committee on Appropriations and the Chair of the House Committee on Appropriations.  
31 The respective Vice Chair of each committee may sign in the absence of the Chair.

Amend Chapter 17 of the Joint Rules as follows:

## CHAPTER 17. LEGISLATIVE DEADLINES

Legislative Deadlines	
Legislative Action	40 Day Session
<del>Final</del> A. Last day for unlimited introduction of individual bills and joint resolutions <sup>21</sup>	12 <sup>th</sup> Day
<del>Final</del> B. Last day for introduction of individual bills and joint resolutions <sup>21</sup>	15 <sup>th</sup> Day
<del>Final</del> C. Last day for introduction of committee bills and joint resolutions <sup>1&amp;2</sup>	16 <sup>th</sup> Day
D. Last day upon which Joint Rule 5-17 can be invoked on a bill or resolution in either house	26 <sup>th</sup> Day
E. Last day to move required delivery of bills or resolutions by a committee to the house of origin <sup>+</sup>	27 <sup>th</sup> Day
F. Last day to pass bills or joint resolutions by the house of origin <sup>+</sup>	28 <sup>th</sup> Day
<del>Final</del> G. Last day for introduction of concurrent resolutions and commemorations	28 <sup>th</sup> Day
H. During the seven final legislative days motions to reconsider and reconsideration being made upon the same day (any time before adjournment)	34 <sup>th</sup> Day on
I. Last day to move required delivery of bills or resolutions by a committee to the second house <sup>+</sup>	35 <sup>th</sup> Day
J. Last day for a bill or joint resolution to pass both houses <sup>+</sup>	36 <sup>th</sup> Day
K. Two days preceding the <del>final</del> last two days of a legislative session shall be reserved for concurrences or action upon conference committee reports	37 <sup>th</sup> Day 38 <sup>th</sup> Day
L. The <del>final</del> last day of a legislative session is reserved for the consideration of vetoes	40 <sup>th</sup> Day
<sup>1</sup> This deadline does not apply to the general appropriations bill. <sup>2</sup> -Bills and joint resolutions must be submitted to the Legislative Research Council at least 48 hours prior to this deadline, pursuant to Joint Rule 6A-5.	

**17-1. Exceptions to deadlines for appropriation bills.** Any general appropriation bill is not subject to the legislative deadlines of C, E, F, I, J, and K, in this chapter, except that the general appropriation bill requested by the Governor shall be subject to legislative deadline C.

Any appropriation bill that is not a general appropriation bill, which is referred to or reported to the floor by the House Committee on Appropriations, the Senate Committee on Appropriations or the Joint Committee on Appropriations, is subject to the following legislative deadlines, in lieu of the legislative deadlines of E and F, in this chapter:

(1) Last day to move required delivery of bills by a committee to the house of origin:  
31<sup>st</sup> Day:

(2) Last day to pass bills by the house of origin: 32<sup>nd</sup> Day.

**~~17-1.~~ 17-2. Calendar less than 40 days.** If a Session Calendar is adopted for a period of thirty-five (35) days to thirty-nine (39) days, inclusive, the legislative deadlines set forth in Chapter 17 of the Joint Rules shall be decreased as follows:

(1) Decrease the deadlines occurring after the 16<sup>th</sup> day but prior to the 34<sup>th</sup> day by one (1) day for every two (2) days by which the length of the adopted calendar is less than forty (40) days;

(2) Decrease the deadlines occurring on and after the 34<sup>th</sup> day by the same number of days by which the length of the adopted calendar is less than forty (40) days.

The joint rules and the rules of the Senate and House shall be printed in the House Journal.

Respectfully submitted,  
Dean Wink  
Brian Gosch  
Spencer Hawley  
House Committee

Respectfully submitted,  
Gary Cammack  
Corey Brown  
Billie Sutton  
Senate Committee

## MESSAGES FROM THE SENATE

MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has adopted the report of the Joint-Select Committee relative to setting the compensation for the elective and appointive officers and employees of the Ninety-first Legislative Session.

Also MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has adopted the report of the Joint-Select Committee relative to securing chaplains for the Ninety-first Legislative Session.

Also MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has adopted the report of the Joint-Select Committee relative to arranging for legislative days for the members, officers, and employees of the House and Senate.

1 Also MR. SPEAKER:

2 I have the honor to inform your honorable body that the Senate has adopted the report of  
3 the Joint-Select Committee relative to making arrangements for the distribution of the official  
4 directory, Senate and House journals, and bills and other legislative printing for the two houses  
5 and the state offices.

6 Also MR. SPEAKER:

7 I have the honor to inform your honorable body that the Senate has adopted the report of  
8 the Joint-Select Committee relative to making arrangements for a memorial recognition of  
9 deceased former members of the House and Senate.

10 Respectfully,  
11 Kay Johnson, Secretary

12 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

13 HB 1054 Introduced by: Representatives Verchio, Bartling, Bordeaux, Brunner, Campbell,  
14 DiSanto, Feickert, Gibson, Gosch, Haggart (Don), Hawley, Holmes, Johns, Killer, Kirschman,  
15 Klumb, Marty, May, McCleerey, Otten (Herman), Partridge, Qualm, Rasmussen, Ring,  
16 Schaefer, Schoenfish, Schrempp, Soli, Steinhauer, Tulson, and Werner and Senators Heinert,  
17 Bradford, Frerichs, Hunhoff (Bernie), Jensen (Phil), Olson, Rampelberg, Shorma, and Sutton

18 FOR AN ACT ENTITLED, An Act to authorize the production and sale of industrial  
19 hemp.

20 Was read the first time and referred to the Committee on State Affairs.

21 HB 1055 Introduced by: Representatives Hunt, Gibson, Johns, and Stevens and Senators  
22 Rusch and Van Gerpen

23 FOR AN ACT ENTITLED, An Act to clarify that a gift of real property does not require  
24 a disclosure statement.

25 Was read the first time and referred to the Committee on Judiciary.

1

**COMMEMORATIONS**

2 HC 1004 Introduced by: Representatives Bolin, Anderson, Beal, Conzet, Craig, DiSanto,  
3 Greenfield (Lana), Haggar (Don), Haugaard, Hawks, Heinemann (Leslie), Holmes, Langer,  
4 McCleerey, Mickelson, Munsterman, Otten (Herman), Qualm, Ring, Rounds, Schaefer, Sly,  
5 Solum, Stalzer, Stevens, Tulson, Verchio, Werner, Wiik, and Willadsen and Senators Shorma,  
6 Buhl O'Donnell, Haggar (Jenna), Novstrup (David), Soholt, and Tieszen

7 A LEGISLATIVE COMMEMORATION, Recognizing the achievements of Victoria "Tori"  
8 Johnson of Elk Point.

9 WHEREAS, Victoria "Tori" Johnson is a senior at Elk Point-Jefferson High School and is  
10 a member of the student council, the National Honor Society, and the Husky volleyball team;  
11 and

12 WHEREAS, Tori was selected to attend the American Legion Auxiliary South Dakota Girls  
13 State in the spring of 2015 at the University of South Dakota where she was selected to be one  
14 of two participants to attend the American Legion Auxiliary Girls Nation in Washington, D.C.,  
15 during the summer of 2015; and

16 WHEREAS, Tori actively participated in both programs and, as a result, was elected to the  
17 House of Representatives at Girls State and was able to meet President Barack Obama during  
18 her time at Girls Nation; and

19 WHEREAS, it is a high honor to be selected for these programs which are intended to  
20 promote and foster an understanding of governmental procedures in a democratic society and  
21 pride in our American governmental system:

22 NOW, THEREFORE, BE IT COMMEMORATED, by the Ninety-First Legislature of the  
23 State of South Dakota, that the Legislature recognizes Victoria "Tori" Johnson of Elk Point,  
24 South Dakota, who achieved in 2015 this high honor of participating in both the American  
25 Legion Auxiliary South Dakota Girls State and the American Legion Auxiliary Girls Nation,  
26 and the Legislature thanks the American Legion Auxiliary for sponsoring these programs.

27 Rep. Anderson moved that the House do now adjourn, which motion prevailed and at  
28 12:45 p.m. the House adjourned.

29

Arlene Kvislen, Chief Clerk

